

REMARKS

This Amendment is being filed in response to the Final Office Action mailed May 18, 2007, which has been reviewed and carefully considered. Entry of the present amendment and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the specification has been amended to correct a typographic error.

In the Final Office Action, claims 1 and 13 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent Application Publication No. 2004/0261112 (Hicks III). Claim 22 is rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,081,533 (Laubach). Claims 2 and 14 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hicks III in view of U.S. Patent No. 6,956,833 (Yukie). Claims 3, 6-8, 15 and 18-20 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hicks III in view of Laubach. Claims 4-5 and 16-17 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hicks III in view of Laubach and U.S. Patent No. 5,708,961 (Hylton). Claims 9-

12 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hicks III in view of Laubach and U.S. Patent No. 5,990,927 (Hendricks). Claim 21 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hicks III in view of Yukie and U.S. Patent No. 6,630,963 (Billmaier). Claim 23 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Laubach in view of Hendricks. Claims 24 and 26 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hicks III in view of Hendricks. Claims 25 and 27 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hicks III in view of Hendricks and Hylton. It is respectfully submitted that claims 1-27 are patentable over Hicks III, Laubach, Yukie, Hylton, Hendricks and Billmaier for at least the following reasons.

Hicks III is directed to a system and method for multimedia on demand services where a broadband multimedia gateway (BMG) 100, shown in FIG 1, includes a data switch 101 that receives a digital multimedia information signal via a data link 2, as recited on page 4, paragraph [0042]. The Hicks system includes wireless transceivers 142, 143, 144 for wireless transmission of data from the switch 101 to various appliances, such as an audio system 60,

an electronic book device 70 and an MP3 player 80.

The Final Office Action, page 2, last line, refers to Paragraph [0018] which recites that:

[w]ithin the digital residential entertainment system, the primary broadband data network can be supplemented and extended by the addition of plug-in modules for other lower bandwidth data networking technologies, such as Home Phoneline Networking Alliance (HomePNA) Version 2.0, HomeRF Shared Wireless Access Protocol (Home RF SWAP), IEEE 802.11, Bluetooth, and other similar technologies. (Emphasis added)

It is respectfully submitted that the above noted Paragraph [0018] of Hicks III discloses that a plug-in module may be used that have various protocol, including wireless access protocols. It is respectfully submitted that Paragraph [0018] of Hicks III in no way teaches or suggests a removable circuit apparatus that itself comprises wireless connections or an RF transceiver for wirelessly transmitting signals, as required by independent claims 1, 13 and 22.

Assuming, arguendo, that the Hicks III plug-in modules themselves have wireless connections or RF transceivers, it is respectfully submitted that the present invention as recited in independent claim 1, and similarly recited in independent claims 13

and 22, amongst other patentable elements requires (illustrative emphasis provided) :

a removable circuit apparatus capable of being inserted into a point of deployment (POD) host interface associated with said digital cable set-top box, said removable circuit apparatus comprising ...

an RF transceiver coupled to said POD module interface capable of:

receiving an incoming baseband signal from said digital cable set-top box, said digital cable set-top box being configured to directly receive a provided RF signal provided by a service provider, and said incoming baseband signal being downconverted from said provided RF signal.

It is respectfully submitted that the Hicks III plug-in modules transmit source data to set-top boxes (STBs) as specifically recited in Paragraph [0020], lines 10-14, and Paragraph [0023], lines 1-4, where Paragraph [0020], lines 10-14 specifically recite:

Upon receiving multimedia content, the BMG can transmit the multimedia content through the Ethernet switch over the twisted pair data network to an information appliance (e.g., a thin-client digital set-top box, an audio system, a wireless MP3 player, or a wireless electronic device). (Emphasis added)

Similarly, Paragraph [0023], lines 1-4 specifically recites:

In an embodiment, the BMG can include a Web-server to support a structured, Web browser-based user interface on each information appliance coupled to the BMG, such as digital STBs.
(Emphasis added)

Thus, any plug in module in Hicks III transmits TO a set-top box or STB, and is NOT inserted IN a set-top box, as required by independent claims 1, 13 and 22.

Laubach is directed to a method and apparatus for enhancing the functionalities of a subscriber terminal unit (STU). In particular, the STU includes a slot for insertion of a detachable application interface module (AIM). A specific STU functionality is achieved depending on the type of the AIM inserted in the STU.

It is respectfully submitted that Laubach does not even teach or suggest that the AIM has wireless communication means, let alone teaching or suggesting wireless connection between a removable module and both a set top box and with the network, as required by independent claim 22. Column 12, lines 8-11 and FIG 9 of Laubach, are cited on page 3 of the Final Office Action, and column 12, lines 1-17, is cited on page 6 of the Final Office Action to allegedly show the above noted features.

It is respectfully submitted that column 12, lines 6-11 of

Laubach specifically recites that:

the AIM module can alternatively be coupled through a separate device that is in communication with the STU (e.g., a computer system); it is also feasible to implement a wireless (e.g., RF or infrared) interface between the STU and AIM module such that no actual physical contact is needed. (Emphasis added)

The above noted section of Laubach merely teaches that an AIM may be coupled to a computer system, and through this computer system a wireless interface is provided between the STU and the AIM. That is, the AIM does not have any wireless interface. Rather, it is the computer system that has the wireless interface.

In stark contrast, the present invention as recited in independent claim 22, amongst other patentable elements requires (illustrative emphasis provided):

first removable POD module having wireless connections with both the set top box and with the network ... the second removable POD module also having wireless connections with both the set top box and the network.

Laubach does not even teach or suggest an AIM with a wireless connection, let alone teaching or suggesting an AIM with a wireless connections with both the set top box and the network. Yukie, Hylton, Hendricks and Billmaier are cited in rejecting dependent

claims and do not remedy the deficiencies in Hick III and Laubach.

Accordingly, it is respectfully requested that independent claims 1, 13 and 22 be allowed. In addition, it is respectfully submitted that claims 2-12, 14-21 and 23-27 should also be allowed based at least on their dependence from independent claims 1, 13 and 22.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

PATENT

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In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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